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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/231,625	01/14/1999	ROBERT BEACH	612	2840

23720 7590 10/23/2003

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EXAMINER

LEE, CHI HO A

ART UNIT	PAPER NUMBER
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2663

DATE MAILED: 10/23/2003

22

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/231,625

Applicant(s)

BEACH ET AL

Examiner

Andrew Lee

Art Unit

2663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-23 and 26-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-23 and 26-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 19-23, 26-30 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The specification lacks "a wireless communication server" associating including at least one destination table relating the remote units to access points". At most, it is the "intelligent switching hub" providing such association, See specification page 8, lines 1-13. It appears that the Central Computer 10 of fig. 1 functions as a server, however no support of its functions are/is found in specification. Clearly, one skilled recognizes that a communication server has a separate function of providing data as oppose to a switching hub that provides routing function.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "a wireless communication server" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 19-23, 26-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swartz et al U.S. Patent Number 6,330,244 in view of Alexander U.S. Patent Number 6,272,120.

Re Claim 19, Swartz et al teaches in fig. 6B, the HIU 600 (a wireless communication server);

AP 610 & 614 (one or more access points) connected to the HIU 600 wherein the AP wirelessly communicates with plurality of MU 612A~614A to form a WLAN 670 (See col. 6, lines 55-65). Further teaches that the HIU provides routing and bridging between the LAN 670 and 650 (filtering and forwarding of data).

Swartz et al fails to explicitly teach the HIU "includes at least one destination table relating remote units to access points". However, Alexander teaches Multi-Bridge 100 that includes a table (fig. 6) for associating each mobile terminal registered to an access point (See col. 10, lines 19-40). Hence, due to the mobility of the terminal, maintaining a table at the HIU of the location of each mobile terminal provides an

efficient routing of the data. One skilled in the art would have been motivated by Alexander to maintain a table associating the mobile terminal with the registered access point for routing efficiency. Therefore, it would have been obvious to one ordinary skilled incorporate the table associating the mobile terminal with access point, as taught in Alexander, into the routing function of HIU to provide efficient routing by updating each mobile location in the table.

Re Claim 20, HIU communicates with AP using Ethernet (See col. 5, lines 48-48) (conventional network).

Re Claim 21, refer to Claim 20, See fig. 6B, wherein the HIU is coupled to the AP with an existing wire network.

Re Claim 22, refer to Claim 20.

Re Claim 23, See fig. 6E that teaches a configuration wherein the AP (s) are directly connected to the HIU 600.

Re Claim 26, refer to Claim 20, fig. 6B teaches a single WLAN 670 coupled to another LAN 680 (an additional wireless communication server).

Re Claim 27, refer to Claim 26, Swartz et al in view of Alexander fails to explicitly teach the LAN 680 to be configured as WLAN 670. However, one skilled in the art would have been motivated to modify the LAN 680 to a WLAN environment to expand the coverage area for the existing WLAN of 670.

Re Claim 28, Swartz et al in view of Alexander fails to explicitly teach using an unlicensed frequency band. However, one skilled in the art would have been motivated to use unlicensed frequency band to reduce cost over licensed frequency band.

Re Claim 29, refer to Claim 19, wherein during registration of the mobile with the access point, the association is automatic.

Re Claim 30, refer to Claim 19, wherein the filtering of mobile unit inherently based on the mobile's identification address.


Response to Arguments

5. Applicant's arguments with respect to claims 19-23, 26-31 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Lee whose telephone number is 703-305-1500. The examiner can normally be reached on Monday to Friday from 8:30AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on 703-308-5340. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.


October 15, 2003
AI


MIN JUNG
PRIMARY EXAMINER